

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:18-cv-02135-ABJ**

WATERKEEPER ALLIANCE et al v. ENVIRONMENTAL  
PROTECTION AGENCY

Assigned to: Judge Amy Berman Jackson

Case: 1:18-cv-02260-TJK

Cause: 05:552 Freedom of Information Act

**Plaintiff**

**WATERKEEPER ALLIANCE**

Date Filed: 09/14/2018

Jury Demand: None

Nature of Suit: 895 Freedom of  
Information Act

Jurisdiction: U.S. Government Defendant

represented by **Carrie F. Apfel**  
EARTHJUSTICE  
Sustainable Food and Farming Program  
1625 Massachusetts Avenue, NW  
Suite 702  
Washington, DC 20036  
(202) 667-4500  
Fax: (202) 667-2356  
Email: [capfel@earthjustice.org](mailto:capfel@earthjustice.org)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Alexis Andiman**  
EARTHJUSTICE  
48 Wall Street  
15th Floor  
New York, NY 10005  
(212) 845-7376  
Fax: (212) 918-1556  
Email: [aandiman@earthjustice.org](mailto:aandiman@earthjustice.org)  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**SIERRA CLUB**

represented by **Carrie F. Apfel**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Alexis Andiman**  
(See above for address)  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**U.S. ENVIRONMENTAL  
PROTECTION AGENCY**

represented by **John Moustakas**  
U.S. ATTORNEY'S OFFICE FOR THE  
DISTRICT OF COLUMBIA  
555 Fourth Street, NW  
Washington, DC 20530  
(202) 252-2518  
Email: [john.moustakas@usdoj.gov](mailto:john.moustakas@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Melanie Dyani Hendry**  
U.S. ATTORNEY'S OFFICE FOR THE

DISTRICT OF COLUMBIA  
 555 Fourth Street, NW  
 Washington, DC 20530  
 (202) 252-2510  
 Fax: (202) 252-2599  
 Email: [melanie.hendry2@usdoj.gov](mailto:melanie.hendry2@usdoj.gov)  
 TERMINATED: 08/07/2019

Date Filed	#	Docket Text
09/14/2018	<u>1</u>	COMPLAINT against U.S. ENVIRONMENTAL PROTECTION AGENCY ( Filing fee \$ 400 receipt number 0090-5689367) filed by WATERKEEPER ALLIANCE, SIERRA CLUB. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Civil Cover Sheet, # <u>7</u> Summons to Wheeler, # <u>8</u> Summons to Sessions, # <u>9</u> Summons to Liu)(Apfel, Carrie) (Entered: 09/14/2018)
09/14/2018	<u>2</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Alexis Andiman, :Firm- Earthjustice, :Address- 48 Wall Street, 15th Floor, New York, NY 10005. Phone No. - (212) 845-7376. Fax No. - (212) 918-1556 Filing fee \$ 100, receipt number 0090-5689382. Fee Status: Fee Paid. by SIERRA CLUB, WATERKEEPER ALLIANCE (Attachments: # <u>1</u> Declaration of Alexis Andiman, # <u>2</u> Text of Proposed Order)(Apfel, Carrie) (Entered: 09/14/2018)
09/14/2018	<u>3</u>	Corporate Disclosure Statement by WATERKEEPER ALLIANCE. (Apfel, Carrie) (Entered: 09/14/2018)
09/14/2018	<u>4</u>	Corporate Disclosure Statement by SIERRA CLUB. (Apfel, Carrie) (Entered: 09/14/2018)
09/21/2018		ATTORNEY RENEWAL fee received: \$ 25.00, online pay.gov receipt number: 0090-5699767. (zmd) (Entered: 09/21/2018)
09/21/2018		Case Assigned to Judge Amy Berman Jackson. (zmd) (Entered: 09/21/2018)
09/24/2018	<u>5</u>	MINUTE ORDER granting <u>2</u> Motion for Leave of Alexis Andiman to Appear Pro Hac Vice only upon condition that the lawyer admitted, or at least one member of the lawyer's firm, undergo CM/ECF training, obtain a CM/ECF username and password, and agree to file papers electronically. No court papers will be mailed to any lawyer. Signed by Judge Amy Berman Jackson on 9/24/18. (DMK) (Entered: 09/24/2018)
09/24/2018	<u>6</u>	SUMMONS (3) Issued Electronically as to U.S. ENVIRONMENTAL PROTECTION AGENCY, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent) (zmd) (Entered: 09/24/2018)
10/08/2018	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. ENVIRONMENTAL PROTECTION AGENCY served on 9/28/2018 (Apfel, Carrie) (Entered: 10/08/2018)
10/08/2018	<u>8</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 10/01/2018. (Apfel, Carrie) (Entered: 10/08/2018)
10/08/2018	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/1/2018. Answer due for ALL FEDERAL DEFENDANTS by 10/31/2018. (Apfel, Carrie) (Entered: 10/08/2018)
10/16/2018	<u>10</u>	NOTICE OF RELATED CASE by All Plaintiffs. Case related to Case No. 1:18-cv-02260-TJK. (Apfel, Carrie) (Entered: 10/16/2018)
10/31/2018	<u>11</u>	ANSWER to Complaint by U.S. ENVIRONMENTAL PROTECTION AGENCY.(Hendry, Melanie) (Entered: 10/31/2018)
10/31/2018	<u>12</u>	ORDER. Before the Court in this FOIA case are a complaint and an answer. The requirements of Local Civil Rule 16.3 and Rule 26(f) of the Federal Rules of Civil Procedure appear to be inapplicable. Defendant shall file a dispositive motion or, in the alternative, a report setting forth the schedule for the completion of its production of documents to plaintiff, on or before November 28, 2018. SO ORDERED. Signed by

		Judge Amy Berman Jackson on 10/31/2018. (lcabj2) (Entered: 10/31/2018)
11/28/2018	<u>13</u>	STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Hendry, Melanie) (Entered: 11/28/2018)
11/29/2018		MINUTE ORDER. Defendant must submit another status report by January 2, 2019. Signed by Judge Amy Berman Jackson on 11/29/2018. (lcabj2) (Entered: 11/29/2018)
12/31/2018	<u>14</u>	Unopposed MOTION to Stay <i>in Light of the Lapse in Appropriations</i> by U.S. ENVIRONMENTAL PROTECTION AGENCY (Hendry, Melanie) (Entered: 12/31/2018)
01/04/2019		MINUTE ORDER granting <u>14</u> Motion to Stay. Defendant must notify the Court within two business days of the resumption of government operations and propose a revised schedule for the production of documents and the filing of a status report, if necessary, at that time. SO ORDERED. Signed by Judge Amy Berman Jackson on 1/4/2019. (lcabj2) (Entered: 01/04/2019)
01/30/2019	<u>15</u>	NOTICE of Resumption of Government Operations and Proposed Schedule by U.S. ENVIRONMENTAL PROTECTION AGENCY (Hendry, Melanie) (Entered: 01/30/2019)
01/31/2019		MINUTE ORDER. In light of defendant's notice <u>15</u> , it is ORDERED that this Court's January 4, 2019 minute order granting a stay in this case is hereby lifted. Defendant must file a status report by February 15, 2019 that includes the plaintiffs' position on any proposed schedule. Signed by Judge Amy Berman Jackson on 1/31/2019. (lcabj2) (Entered: 01/31/2019)
02/15/2019	<u>16</u>	STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Hendry, Melanie) (Entered: 02/15/2019)
02/26/2019		MINUTE ORDER. In light of the defendant's status report <u>16</u> , it is ORDERED that defendant will review 1,000 documents a month and release the non-exempt portions in monthly productions. It is FURTHER ORDERED that defendant must submit a status report by May 28, 2019. Signed by Judge Amy Berman Jackson on 2/26/2019. (lcabj2) (Entered: 02/26/2019)
05/24/2019	<u>17</u>	STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Hendry, Melanie) (Entered: 05/24/2019)
05/28/2019		MINUTE ORDER. Defendant must file another status report on August 23, 2019. SO ORDERED. Signed by Judge Amy Berman Jackson on 5/28/2019. (lcabj2) (Entered: 05/28/2019)
08/07/2019	<u>18</u>	NOTICE OF SUBSTITUTION OF COUNSEL by John Moustakas on behalf of U.S. ENVIRONMENTAL PROTECTION AGENCY Substituting for attorney Melanie Hendry (Moustakas, John) (Entered: 08/07/2019)
08/22/2019	<u>19</u>	Joint STATUS REPORT by U.S. ENVIRONMENTAL PROTECTION AGENCY. (Moustakas, John) (Entered: 08/22/2019)